

STATE OF WISCONSIN, CIRCUIT COURT, \_\_\_\_\_ COUNTY

IN THE INTEREST OF

**Order Concerning  
Termination  
of Parental Rights  
(Involuntary)**

Name \_\_\_\_\_

**Indian Child Welfare Act**

Date of Birth \_\_\_\_\_

Case No. \_\_\_\_\_

**THE COURT FINDS:**

1. Notice was given to all those entitled to notice.
2. The child is subject to the Indian Child Welfare Act.

3. The parent(s) are:

- |   |                      |
|---|----------------------|
| <input type="checkbox"/> a. Mother's name: _____      | Date of birth: _____ |
| <input type="checkbox"/> b. Father's name: _____      | Date of birth: _____ |
| <input type="checkbox"/> c. Other possible father(s): |                      |
| Name: _____   | Date of birth: _____ |
| Name: _____   | Date of birth: _____ |
| Name: _____   | Date of birth: _____ |

- ☐ 4. There was no declaration of paternal interest.

- ☐ 5. Name(s) \_\_\_\_\_ failed to appear at the hearing, and is/are in default.

6. This matter was tried to ☐ a jury. ☐ the court.

- a. The following grounds for termination of the parental rights of \_\_\_\_\_ were found to exist:

**Mother    Father**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | abandonment   |
| <input type="checkbox"/> | <input type="checkbox"/> | relinquishment  |
| <input type="checkbox"/> | <input type="checkbox"/> | continuing need of protection or services                           |
| <input type="checkbox"/> | <input type="checkbox"/> | continuing parental disability                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | continuing denial of periods of physical placement or visitation    |
| <input type="checkbox"/> | <input type="checkbox"/> | child abuse   |
| <input type="checkbox"/> | <input type="checkbox"/> | failure to assume parental responsibility                           |
| <input type="checkbox"/> | <input type="checkbox"/> | incestuous parenthood   |
| <input type="checkbox"/> | <input type="checkbox"/> | homicide or solicitation to commit homicide of parent               |
| <input type="checkbox"/> | <input type="checkbox"/> | parenthood as a result of sexual assault                            |
| <input type="checkbox"/> | <input type="checkbox"/> | commission of a serious felony against one of the person's children |
| <input type="checkbox"/> | <input type="checkbox"/> | prior involuntary termination of parental rights to another child   |

- b. Continued custody of the child by the parent(s) or Indian custodian ☐ is ☐ is not likely to result in serious emotional or physical damage to the child, based on the testimony of one or more qualified expert witnesses. ☐ Specify: \_\_\_\_\_

- c. Active efforts were

- ☐ made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family and those efforts have proved unsuccessful. ☐ Specify: \_\_\_\_\_
- ☐ not made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family.

- ☐ 7. The ☐ mother ☐ father is unfit.

8. It is in the best interest of the child that the parental rights of the ☐ mother ☐ father(s) be terminated after considering the following factors:

- The likelihood of the child's adoption after termination.
- The age and health of the child, both at the time of the disposition and, if applicable, at the time the child was removed from the home.
- Whether the child has substantial relationships with the parent or other family members, and whether it would be harmful to the child to sever these relationships.
- The wishes of the child.
- The duration of the separation of the parent from the child.
- Whether the child will be able to enter into a more stable and permanent family relationship as a result of the termination, taking into account the conditions of the child's current placement, the likelihood of future placements and the results of prior placements.

- ☐ 9. The child is placed in sustaining care because

- ☐ the child is not likely to be adopted.  
☐ adoption is not in the best interest of the child.

10. Reasonable efforts to achieve the goal(s) of the permanency plan, including through an out-of-state placement if appropriate, were *(Complete one of the following only if there is a permanency plan.)*

- ☐ made by the department or agency responsible for providing services.

- ☐ not made by the department or agency responsible for providing services.

11. Any parent who has appeared was informed of the provisions of §§48.432, 48.433 and 48.434, Wisconsin Statutes.

- ☐ 12. Other: \_\_\_\_\_

- ☐ 13. The evidence does not warrant the termination of the parental rights of (Name) \_\_\_\_\_

#### THE COURT ORDERS:

- ☐ 1. a. The parental rights of (Name of Parent(s)) \_\_\_\_\_ is/are terminated.

Guardianship, placement and care responsibility, and custody of the child

- ☐ remain with the parent whose rights have not been terminated.  
☐ are transferred pending adoption to \_\_\_\_\_  
☐ Other: \_\_\_\_\_

- ☐ Placement has been made in accordance with the order of preference set forth in the Indian Child Welfare Act.

OR

- ☐ There is good cause to depart from the order of placement preference in the Indian Child Welfare Act.

- ☐ Specify: \_\_\_\_\_

If guardianship or custody is transferred to an agency, that agency shall be responsible for securing the adoption of the child or establishing the child in a permanent family setting. The child's permanency Plan ☐ was filed. ☐ is attached. ☐ will be filed within 60 days.

The provisions of §§48.432, 48.433 and 48.434, Wisconsin Statutes are attached.

- ☐ b. The petition to terminate parental rights of (Name) \_\_\_\_\_ is dismissed.

- ☐ 2. Other: \_\_\_\_\_

**THIS IS A FINAL ORDER FOR PURPOSES OF APPEAL.**

**BY THE COURT:**

\_\_\_\_\_  
Circuit Court Judge

\_\_\_\_\_  
Name Printed or Typed

\_\_\_\_\_  
Date